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REMARKS/ARGUMENTS

In the Office Action dated March 13, 2007, claims 1 – 20 were rejected. In response, Applicant has amended claims 1, 8, 15, and 20 and canceled claims 3 and 11 – 13. Applicant hereby requests reconsideration of the application in view of the amended claims and the below-provided remarks.

Claim 1

Claims 1 – 7, 15 – 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Bly et al. (U.S. Pat. Publ. No. 2004/0042399 A1, hereinafter Bly).

Claim 1 is amended to include the limitations of claim 3 and the phrase “which were received from the customer.” The amendments to claim 1 particularly point out that traffic type bandwidth limitations are received from a customer and to particularly point out that it is the traffic type bandwidth limitations which were received from the customer that are translated to queue-specific bandwidth limitations. As amended claim 1 recites:

“A method for forwarding packet-based traffic through a network node, comprising:

receiving traffic type bandwidth limitations from a customer,
dedicating a group of queues in a network node to the customer;
translating the traffic type bandwidth limitations, which were received from the customer, to queue-specific bandwidth limitations;
performing queue-specific rate shaping on the customer’s traffic according to the queue-specific bandwidth limitations respectively associated with the queues;
and

performing group-specific rate shaping on the customer’s traffic according to a group-specific bandwidth limitation associated with the group of queues.”
(emphasis added)

In the Office action, the “receiving” limitation was rejected in view of Bly paragraph [0025], line 1. Applicants assert that Bly does not disclose “*receiving traffic type bandwidth limitations from a customer*” as recited in claim 1. At paragraph [0025], lines 1 – 3, Bly discloses “[T]he queues 44 – 47 can have shaping profiles, which include properties such as: priority, depth, latency, jitter, and rate.” Although Bly discloses that a queue can have a shaping profile such as rate, nowhere does Bly disclose that the shaping profile is received from the customer in the form of a traffic type bandwidth limitation. That is, while Bly discloses that a queue has a shaping profile, Bly does not disclose

where the shaping profile comes from. Receiving traffic type bandwidth limitations from a customer and then translating the traffic type bandwidth limitations to queue-specific bandwidth limitations as recited in amended claim 1 allows the customer to control bandwidth usage without having to understand the concept of queuing within a service provider edge device. Because Bly does not disclose "*receiving traffic type bandwidth limitations from a customer*" as recited in claim 1, Applicants assert that claim 1 is not anticipated by Bly.

Claims 2 and 4 – 7 are dependent on claim 1. Applicant asserts that these claims are allowable at least based on an allowable claim 1.

Claim 15

Claim 15 has been amended to include the limitation "receiving traffic-type-specific bandwidth limitations from the customer" similar to claim 1. Claim 15 has also been amended to particularly point out that a customer-specific bandwidth limitation is established for a customer and to point out the associations between the traffic-type-specific bandwidth limitations, the customer-specific bandwidth limitations, and the traffic channels. Support for the amendments is found, for example, in claim 3 as filed and paragraphs [0018] – [0023] of Applicant's specification. Because of the similarities between claim 1 and 15, Applicant asserts that the remarks provided above with reference to claim 1 apply also to claim 15. Applicant asserts that Bly does not disclose the above-identified limitations of amended claim 15.

Claims 16 – 20 are dependent on claim 15. Applicant asserts that these claims are allowable at least based on an allowable claim 15.

Claim 8

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly in view of Aatresh (U.S. Pat. No. 6,067,301).

Claim 8 has been amended to include the limitations of claims 11 – 13 and also to particularly point out three vectors that are included within the scheduler to implement packet forwarding. Support for the amendment is found, for example, at paragraphs [0024] – [0034] and Fig. 2B. With regard to the three vectors, amended claim 8 recites:

"wherein the scheduler comprises an individual queue enablement vector for each queue, a group enablement vector for the group of queues, and a result vector for each queue;

wherein the *individual queue enablement vector* indicates which queues are enabled, with a queue being enabled if the queue has not consumed its allocated queue-specific bandwidth;

wherein the *group enablement vector* indicates whether the group is enabled with the group being enabled as long as all of the allocated group-specific bandwidth has not been consumed; and

wherein the *result vector* indicates which queues are enabled for sending packets, wherein in the first round a result vector for a queue indicates a queue is enabled only when both the individual queue enablement vector and the group vector indicate that the queue is enabled and in the second round a result vector for a queue indicates a queue is enabled as long as the group vector indicates that the group is enabled"

Applicant asserts that Bly does not disclose the limitations related to the individual queue enablement vectors, the group enablement vector, and the result vectors as recited in amended claim 8.

Claims 9, 10, and 14 are dependent on claim 8. Applicant asserts that these claims are allowable at least based on an allowable claim 8.

Claim Objections

The objections to claims 11 and 12 are moot in view of the claim cancellations.

Claim Rejections under 35 U.S.C. 112

Claims 12 and 13 have been incorporated into claim 8 and corrections to the claim language have been made to overcome the rejections. Claim 20 has been amended to remove the phrase "such that."

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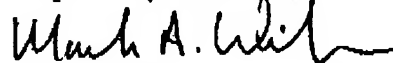
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CONCLUSION

Applicant respectfully requests reconsideration of the claims in view of the amendments and remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-3444 pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account 50-3444 under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,



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